

# HOUSE BILL No. 1210

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-44-3-3.

**Synopsis:** Resisting law enforcement. Provides that a person who resists, obstructs, or interferes: (1) with a law enforcement officer engaged in official duties; or (2) with the authorized service of process or execution of a court order; commits the offense of resisting law enforcement regardless of whether the person uses force.

**Effective:** July 1, 2004.

**Austin**

January 13, 2004, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1210

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-44-3-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. (a) A person who  
3 knowingly or intentionally:

4 (1) ~~forcibly~~ resists, obstructs, or interferes with a law enforcement  
5 officer or a person assisting the officer while the officer is  
6 lawfully engaged in the execution of ~~his~~ **the officer's official**  
7 duties; ~~as an officer~~;

8 (2) ~~forcibly~~ resists, obstructs, or interferes with the authorized  
9 service or execution of a civil or criminal process or order of a  
10 court; or

11 (3) flees from a law enforcement officer after the officer has, by  
12 visible or audible means, identified himself **or herself** and  
13 ordered the person to stop;  
14 commits resisting law enforcement, a Class A misdemeanor, except as  
15 provided in subsection (b).

16 (b) The offense under subsection (a) is a:

17 (1) Class D felony if:

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IN 1210—LS 6779/DI 109+



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- 1 (A) the offense is described in subsection (a)(3) and the person  
2 uses a vehicle to commit the offense; or  
3 (B) while committing any offense described in subsection (a),  
4 the person draws or uses a deadly weapon, inflicts bodily  
5 injury on another person, or operates a vehicle in a manner  
6 that creates a substantial risk of bodily injury to another  
7 person;  
8 (2) Class C felony if, while committing any offense described in  
9 subsection (a), the person operates a vehicle in a manner that  
10 causes serious bodily injury to another person; and  
11 (3) Class B felony if, while committing any offense described in  
12 subsection (a), the person operates a vehicle in a manner that  
13 causes the death of another person.  
14 (c) For purposes of this section, a law enforcement officer includes  
15 an alcoholic beverage enforcement officer and a conservation officer  
16 of the department of natural resources.

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